

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GREGORY DONNELLY
PETITIONER,

V.

BERNARD BRADY, SUPERINTENDENT
OLD COLONY CORRECTION CENTER,
RESPONDENT,

FILED
CLERKS OFFICE

2005 MAR -9 P 3:43

CIVIL ACTION
U.S. DISTRICT COURT
DISTRICT OF MASS

NO-04-12706-RWZ

MARCH 7, 2005

PETITIONER'S OPPOSITION TO THE RESPONDENT'S
MOTION FOR FURTHER ENLARGEMENT OF TIME
IN WHICH TO RESPOND TO PETITION

NOW COMES THE PETITIONER
GREGORY M. DONNELLY, ACTING PRO. SE,
HEREBY SUBMITS PETITIONER'S OPPOSITION
TO THE RESPONDENT'S MOTION FOR FURTHER
ENLARGEMENT OF TIME IN WHICH TO
RESPOND TO PETITION.

-2-

- 1) THE RESPONDENT HAS HAD AMPLE OPPORTUNITY TO OBTAIN ANY AND ALL DOCUMENTS FROM THE DISTRICT ATTORNEY'S OFFICE IN THIS CASE.
- 2) THE RESPONDENT HAS COPIES OF THE SENTENCING TRANSCRIPTS, AFFIDAVITS FROM THE PETITIONER AND HIS ATTORNEY AT THE TIME OF SAID PLEA AGREEMENT, SO THIS PETITIONER IS HAVING A HARD TIME UNDERSTANDING THE RESPONDENT'S CLAIMS OF SERIOUS ALLEGATIONS AND REFERENCES COMPLEX AREA'S OF LAW.
- 3) THIS PETITIONER HAS BEEN UNLAWFULLY DEPRIVED OF THE BENEFIT OF THE "FORTHWITH" SENTENCING SCHEME TO WHICH HE HAD

PLEADED GUILTY -- THAT IS, SUBSEQUENT TO COMPLETION OF THE 10 TO 10 1/2 YEAR SENTENCE, PETITIONER WAS THEN REMANDED TO SERVE THE PREVIOUSLY IMPOSED 20 YEAR CONCORD SENTENCE IN VIOLATION OF THE PLEA AGREEMENT.

4) THIS CASE HAS BEEN IN THE STATE COURTS FOR YEARS AND THIS PETITIONER HAS BEEN UNCONSTITUTIONALLY DEPRIVED OF THE BENEFITS TO SPECIFIC PERFORMANCE TO THE TERMS OF THE "FORTHWITH" STATE SENTENCING SCHEME OFFERED AND PROMISED TO INDUCE HIM TO PLEAD GUILTY.

5) THIS PETITIONER IS BEING PREJUDICE AGAINST BY FURTHER ENLARGEMENT'S OF

OF TIME, IT AGGRAVATES THE HARM TO THIS PETITIONER, IF THIS PETITIONER IS IN FACT SERVING AN ILLEGAL SENTENCE,

6) THIS PETITIONER IS WAITING DISPOSITION IN THIS MATTER AND THIS CASE SHOULD BE OF THE HIGHEST PRIORITY CONSIDERING THE NATURE AND THE FACT THE PETITIONER IS ILLEGALLY CONFINED.

WHEREFORE, I RESPECTFULLY ASK ~~THIS~~ HONORABLE COURT TO DENY THE RESPONDENTS MOTION FOR A FURTHER ENLARGEMENT OF TIME IN WHICH TO RESPOND TO PETITION

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE SERVED BY FIRST CLASS MAIL A COPY OF THE ABOVE BY PLACING SAID IN THE INSTITUTIONAL MAIL BOX ADDRESSED, RANDALL E. RAVITZ, ASS. ATT. GEN. CRIMINAL BUREAU, ONE ASHBURTON PLACE, BOSTON, MA. 02108.

Gregory Donnelly
GREGORY DONNELLY, PRO. SE
269 TREBLE COVE RD
BILLERICA, MA. 01862